

REMARKS

By way of summary, Claims 1-18 were originally filed with the above-referenced application. Claims 1-12 were canceled and Claim 19 was added in response to a prior office action. By this amendment, Claim 19 is amended and Claim 20 is added. In view of the amendments and the following remarks, the Applicant respectfully requests reconsideration of the pending claims.

Claim Objections

In the Office Action, the Examiner objected to Claim 19 because of certain informalities. Specifically, the Examiner indicated that proper antecedent is required for the word "housing" in line 3. The Applicant has amended Claim 9 to correct the informalities noted by the Examiner and respectfully requests the Examiner to withdraw this objection.

Claim Rejections – 35 U.S.C. §103

Claims 13-18 are rejected under 35 U.S.C. §103(a) as being unpatentable over the 892-cited NPL "U"-Fix-it manual for pop up sprinkler repair ("U-Fix-it Manual") in view of U.S. Pat. No. 7,043,946 to Cline. While the Applicant respectfully disagrees with the Examiner's basis for the rejection, the Applicant submits that the rejection is moot in view of the cancellation of Claims 13-18.

With respect to Claim 19, it is unclear whether the Examiner intends to include Claim 19 as part of the group of claims being rejected under 35 U.S.C. §103(a) over the U-Fix-it Manual and Cline. In the Office Action, the Examiner refers to the *method limitations* set forth in claims 13-19 as clearly taught by the method steps of repairing a sprinkler head, *etc.* while Claim 19 is directed to an apparatus, not a method. In this response, the Applicant will assume that the Examiner also rejected Claim 19 as unpatentable over the U-Fix-it Manual and Cline reference. The Applicant respectfully traverses the rejection based at least on the reasons set forth below.

The Applicant notes that the U-Fix-it manual is directed to repairing a pop-up sprinkler head and teaches a method of repairing a sprinkler head which requires removing the cap and internal mechanisms, cleaning or fixing the internal mechanisms, and then replacing the internal mechanisms and cap. In contrast, certain preferred embodiments of Applicant's invention as recited in Claims 19-20 are directed to a device for hiding keys or other items outdoors, wherein the device resembles a pop-up sprinkler but is structurally different from a conventional sprinkler

with the internal parts removed. The device comprises, *inter alia*, a housing having a cylindrical cavity therein, wherein the housing does not contain a pop-up stem that is typically positioned inside pop-up sprinkler housings, thus providing sufficient space for storing the keys and other items; and a cap detachably engages with the housing via a *set of interengaging threads*, wherein the cap does not have any openings for water to flow through, thus substantially covering the entire circular opening of the housing and *seals the housing when in a closed configuration* so as to protect the stored keys and other items in the housing.

The Applicant notes that conventional pop-up sprinklers such as the ones illustrated in the U-Fix-it Manual all have nozzle openings formed in the cover or cap to allow flow of water to flow through. As such, the inherent structure of a pop-up sprinkler head would teach away from using it as a key hiding device outdoors because of the possibility of water entering through the nozzle opening in the cap area and wetting the contents therein. Further, the Applicant submits that it is not easy to remove the cap on most conventional pop-up sprinkler heads as it typically requires one to use a tool to pry the cap off. Even the U-Fix-it Manual cited by the Examiner recommends using a tool to pry up the cover. As such, the Applicant submits that the difficulty in removing the cap of conventional pop-up sprinkler heads in combination with the likelihood of water leaking through the nozzle openings in the cap area would discourage and teach away one skilled in the art to use the pop-up sprinkler head as a key hiding device.

With respect to Cline, the Applicant notes that to the extent Cline discloses a safe disguised as a water processing device, the device is adapted for indoor use and is not intended to be positioned adjacent a plurality of other similar looking functional water processing devices so that the appearance of the device cannot be readily differentiated from the others. Accordingly, the Applicant submits that the U-Fix-it Manual and Cline, either individually or in combination, do not disclose a device for hiding keys and other items having advantages afforded by the device recited in the pending claims. As such, the Applicant respectfully submits that the pending claims are patentable over the cited references.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather,

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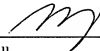
any alterations or characterizations are being made to facilitate expeditious prosecution of this application. The Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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